

TOWN OF FREDERICK, COLORADO
ORDINANCE NO. _____

**AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO,
ENACTING CHAPTER 10, ARTICLE XIII, SECTION 10-261 OF
FREDERICK MUNICIPAL CODE, ENTITLED "DEFINITIONS."**

WHEREAS, the Board of Trustees finds that it is appropriate and necessary to revise the definition of 'fireworks' as set forth at Chapter 10, Article XIII, Section 10-261.

WHEREAS, the Board finds that the enactment of this ordinance is in the best interest of the health, safety and welfare of the citizens of the town.

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF
FREDERICK, COLORADO, AS FOLLOWS:**

Section 1. Chapter 10, Article XIII, Section 10-261 of the Frederick Municipal Code, specifically the definition of "fireworks," is hereby amended to read as follows:

Sec. 10-261. Definitions.

Fireworks means any article, device or substance prepared for the primary purpose of producing a visual or auditory sensation by combustion, explosion, deflagration or detonation, including, without limitation, the following articles and devices commonly known and used as fireworks: toy cannons or toy canes in which explosives are used, blank cartridges, the type of balloon which requires fire underneath to propel the same, firecrackers, torpedoes, skyrockets, rockets, roman candles, Day-Glo bombs and torches, or other fireworks of like construction and any fireworks containing any explosive or flammable compound, or any tablets or other device containing any explosives substance. Fireworks does not include:

- a. Toy caps which do not contain more than twenty-five hundredths (0.25) of a grain of explosive compound per cap;
- b. Highway flares, railway fuses, shop distress signals, smoke candles and other emergency signal devices.

[note: the remaining definitions listed in Sec. 10-261 are hereby affirmed as previously adopted and published.]

Section 2. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 3. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town Board hereby declares that it would have

passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid.

Section 4: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS
____ day of _____, 2010.

TOWN OF FREDERICK

By: _____
Eric E. Doering, Mayor

ATTEST:

By _____
Nanette S. Fornof, Town Clerk